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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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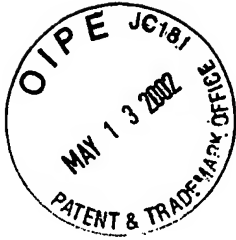
In re application of: William J. Goetzinger et al : Date: May 8, 2002
Group Art Unit: 2661 : IBM Corporation Technology Center 2600
Examiner: Unknown : Intellectual Property Law
Serial No.: 10/004,373 : Dept. 917, Bldg. 006-1
Filed: November 1, 2001 : 3605 Highway 52 North
Title: QoS SCHEDULER AND METHOD FOR : Rochester, MN 55901
IMPLEMENTING PEAK SERVICE
DISTANCE USING NEXT PEAK SERVICE
TIME VIOLATED INDICATION

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Assistant Commissioner for Patents
Washington, D.C. 20231
Sir:

Applicants request that the information listed on the attached Form PTO/SB/08A be considered by the Office during the pendency of the above entitled application, pursuant to 37 C.F.R. §1.97. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not constitute an admission that any information cited therein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b). In the interest of full and complete disclosure to the Office, some or all of the art cited herein may not be considered by Applicant(s) or the Undersigned to be material under the new standard of materiality defined in 37 C.F.R. §1.56(b), enacted March 16, 1992, but may be material under the old standard of materiality defined in 37 C.F.R. §1.56(a), last amended on November 28, 1988, or may merely be technical background which may be of interest to the Examiner. In accordance with 37 C.F.R. §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

Serial No. 10/004,373
Docket No. ROC920010203US1



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To the best knowledge of the undersigned, this Information Disclosure Statement is being filed under 37 C.F.R. §1.97(b)(3) before the mailing of a first Office action on the merits in the present application. Accordingly no filing fee is required.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

May 8, 2002

(Date of Deposit)

Nancy J. Larson
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Respectfully submitted,

WILLIAM J. GOETZINGER ET AL

By

Leslie J. Payne

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Sheet 1 of 4Application Number.: 10/004,373Filing Date: November 1, 2001First Named Inventor: William GoetzingerArt Unit: 2661Examiner Name: UnassignedAttorney Docket Number.: ROC920010203US1**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. ¹	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns or Lines Where Relevant Passages or Figs. Appear
	AA	US -5249184A	09/28/1993	Karen L. Woeste et al	
	AB	US -5548590A	08/20/1996	Robert H. Grant et al	
	AC	US -5629928A	05/13/1997	Jean Calvignac et al	RECEIVED
	AD	US -5742772A	04/21/1998	Cormac J. Sreenan	MAY 14 2002
	AE	US -5831971A	11/03/1998	Flavio Bonomi et al	
	AF	US -5844890A	12/01/1998	Gary Scott Delp et al	Technology Center 2600
	AG	US -5850399A	12/15/1998	Mahesh Ganmukhi et al	
	AH	US -5926459A	07/20/1999	J. Bryan Lyles et al	
	AI	US -5926481A	07/20/1999	Chi-Lung Wang et al	
	AJ	US - 5946297A	08/31/1999	Jean Calvignac et al	
	AK	US - 5999963A	12/07/1999	John Louis Bruno et al	
	AL	US - 6014367A	01/11/2000	Alexander Joffe	
	AM	US - 6018527A	01/25/2000	Nanying Yin et al	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document Country ³ - Number ⁴ - Kind Code ⁵ Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns or Lines Where Relevant Passages or Figs. Appear	T ⁶
	AN	EP0859492A2 ✓	08/19/1998	Duffield et al		X
	AO	EP0957602A2 ✓	11/17/1999	Darrin Nagy		X
	AP	EP0989770A1 ✓	03/29/2000	Chugo et al		X
	AQ	EP1049352A2 ✓	11/02/2000	Goudreau et al		X
	AR	EP1061763A2 ✓	12/20/2000	Cavendish et al		X
	AS	JP2000183886A ✓	06/30/2000	Yamashita	Abstract Only	
	AT	JP2000295247A	10/20/2000	Goudoruu et al	Abstract Only	
	AU	IP2001007822A	12/20/2000	Cavendish et al	Abstract Only	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

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**INFORMATION DISCLOSURE
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Sheet 2 of 4

Application Number.: 10/004,373
 Filing Date: November 1, 2001
 First Named Inventor: William Goetzinger
 Art Unit: 2661
 Examiner Name: Unassigned
 Attorney Docket Number.: ROC920010203US1

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and or country where published.	T ²
	AV	U.S. Patent Application Serial No. 10/102,166 filed March 20, 2002, "Method and Apparatus for Improving the Fairness of New	
		Attaches to a Weighted Fair Queue in a Quality of Service (QoS) Scheduler"	
	AW	Abstract of Publication entitled "Design of packet-fair queuing schedulers using a RAM-based searching engine"	
		by HJ Chao et al, IEEE Journal on Selected Areas in Communications, Vol. 17, No. 6, pp. 1105-1126, June 1999	

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Sheet 3 of 4

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 Examiner Name: Unassigned
 Attorney Docket Number.: ROC920010203US1

U.S. PATENT DOCUMENTS

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	BA	US -6028842A	02/22/2000	Alan Chapman et al	
	BB	US -6028843A	02/22/2000	Gary Delp et al	
	BC	US -6031822A	02/28/2000	Eugen Wallmeier	
	BD	US -6038217A	03/14/2000	J. Bryan Lyles	
	BE	US -6041059A	03/21/2000	Alexander Joffe et al	
	BF	US -6064650A	05/16/2000	Christopher Kappler et al	
	BG	US -6064677A	05/16/2000	Christopher Kappler et al	
	BH	US -6072772A	06/06/2000	Anna Charny et al	
	BI	US -6072800A	06/06/2000	Duan-Shin Lee	
	BJ	US -6081507A	06/27/2000	Hung-Hsiang Chao et al	

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	BK	WO99/35792A1 ✓	07/15/1999	Anna Charny et al		X
	BL	WO99/53647A2	10/21/1999	Nigel T. Poole et al		X
	BM	WO99/53648A2	10/21/1999	Cary B. Robins et al		X
	BN	WO01/20876A1	03/22/2001	Kent D. Benson et al		X

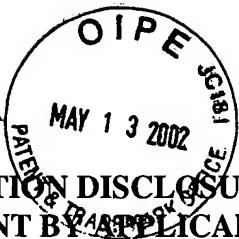
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	CA	US - 6092115A	07/18/2000	Abhijit Choudhury et al	
	CB	US - 6094435A	07/25/2000	Don Hoffman et al	
	CC	US - 6101193A	08/08/2000	Yoshihiro Ohba	
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	CH	US - 6157649A	12/05/2000	Kenneth Peirce et al	
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	CL	US - 6226267B1	05/01/2001	Barry A. Spinney et al	
	CM	US - 6229812B1	05/08/2001	Bidyut Parruck et al	
	CN	US - 6229813B1	05/08/2001	Steven W. Buchko et al	
	CO	US - 6236647B1	05/22/2001	Carlo Amalfitano	

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